

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHESTER BODMAN,

Plaintiff,

v.

Case Number 14-14420

Honorable David M. Lawson

Magistrate Judge Anthony P. Patti

ARAMARK CORPORATION, DAVRE
DAVIDSON, BOB MARSHALL, JOSEPH
NEUBAUER, ERIC J. FOSS, CHRISSY
SHARP, and O'BELL THOMAS WINN,

Defendants.

**ORDER ADOPTING REPORT AND RECOMMENDATION AND
GRANTING DEFENDANT O'BELL THOMAS WINN'S
MOTION FOR SUMMARY JUDGMENT**

Presently before the Court is the report issued on April 30, 2015 by Magistrate Judge Anthony P. Patti pursuant to 28 U.S.C. § 636(b), recommending that the Court grant defendant O'Bell Thomas Winn's motion for summary judgment and dismiss the plaintiff's claims against him. Although the magistrate judge's report explicitly stated that the parties to this action may object to and seek review of the recommendation within fourteen days of service of the report, no objections have been filed thus far. The parties' failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation [dkt. #27] is **ADOPTED**.

It is further **ORDERED** that defendant O'Bell Thomas Winn's motion for summary judgment [dkt. #11] is **GRANTED**. The plaintiff's claims against defendant Winn **ONLY** are **DISMISSED WITH PREJUDICE**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: June 5, 2015

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on June 5, 2015.

s/Susan Pinkowski
SUSAN PINKOWSKI